



September 8, 2005

The Honorable John McCain
United States Senate
Washington, DC 205 10

COEUR D'ALENE TRIBE

CHIEF J. ALLAN, CHAIRMAN
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REFERENCE:

Dear Mr. Chairman:

On behalf of the Coeur d'Alene Tribe (Tribe), I ~~am~~ writing to express our support for the language that modify the definition of Native American under the *Native American Graves Protection and Repatriation Act* (NAGPRA), 25 U.S.C. 3001(9). The proposed language that modifies the definition of Native American under NAGPRA would add the language "or was" after "is." The definition would then include Native Americans to be "... a tribe, people, or culture that is or was indigenous ..." to any geographic region that is now a part of the United States. The Tribe believes that it was the original intent of Congress when it enacted NAGPRA to be ~~as~~ inclusive as possible with regard to the disposition of Native American human remains.

The proposed language would be ~~as~~ inclusive ~~as~~ possible with regard to Native American human remains and accomplish Congress's benevolent intention to bring closure to those remains by repatriating them to Native American people for disposition. The NAGPRA still proscribes a process for the repatriation of human remains and other objects to Native Americans for final disposition that will not be disturbed by the proposed language. One ~~concern~~ that was relayed to Congress by Deputy Assistant Secretary for Fish and Wildlife and Parks at the Department of the Interior, Paul Hoffman, was that the proposed language would broaden the definition of Native American and thereby, limit the ability of the scientific community to study Native American people.

The proposed language does not seek to specifically circumscribe the ability of the scientific community to study Native American people. However, what the language does accomplish is the ability for Native American remains that have languished in study or scientific facilities for generations, to get final disposition. The goal of both Native American and non-Native American people is for their relatives to get the respect of final disposition ~~upon~~ death. The proposed language would allow the final disposition of these remains to proceed based ~~upon~~ a process that takes into account Native American sensibilities while balancing the scientific need to study Native American people.

Again, the Coeur d'Alene Tribe **supports** the proposed language that would change the definition of Native American under the NAGPRA. If you should have any additional

questions or require information, please contact the legislative director, **Quanah M. Spencer**, at (208) 686-0803 or e-mail at qspencer@cdatribe-nsn.gov. Thank you for your consideration of this matter and I look forward to working with you on other issues in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Chief J. Allan", with a long horizontal flourish extending to the right.

Chief J. Allan, Chairman
Coeur d'Alene Tribe

Cja:qms